



Wes Moore, Governor · Aruna Miller, Lt. Governor · Atif Chaudhry, Secretary

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**Heavy Equipment, Parts, Accessories, Supplies and Related  
Services Contract #212816-01**

**Intergovernmental Cooperative Purchasing Agreement  
Procurement Officer Determination  
COMAR 21.05.09.04**

Per COMAR 21.05.09.02, as a Primary Procurement Unit, the DGS Office of State Procurement (OSP) may initially sponsor or participate in, renew, modify, or administer an Intergovernmental Cooperative Purchasing Agreement (ICPA) on its own behalf or on behalf of another agency when a determination is made under SFP §13-110 and COMAR 21.05.09.04.

In accordance with COMAR 21.05.09.03B, “A primary procurement unit may purchase its requirements from another government entity’s contract if that contract is an intergovernmental cooperative purchasing agreement and is available for use by the primary procurement unit.” As the DGS OSP Procurement Officer, I have determined that issuing an indefinite delivery indefinite quantity contract based on OMNIA Partners contract #212816-01 to Caterpillar, Inc. (“Caterpillar”) for Heavy Equipment, Parts, Accessories, Supplies and Related Services is in the best interest of the State based upon the reasons stated below.

The proposed contract pricing meets the requirements of the ICPA under COMAR 21.05.09.01B(2)(a). The process to directly solicit such a contract would take a significantly longer period of time than participating in the completed ICPA, particularly since a competitive bid process has already been completed by OMNIA Partners. Additionally, the amount of time in the award process is reduced and this method promotes administrative efficiencies and provides cost benefits to the State as it relates to COMAR 21.01.01.03. The State will enter into an IDIQ Requirements type contract, with all State and Local government agencies placing orders against this awarded contract; therefore, the total contract value will be determined by the work orders. However, the estimated spend on the contract is around \$1,000,000, per year. This statewide contract is intended to decrease the occurrence of emergency or small procurements when heavy equipment, parts, accessories, supplies and relates services are needed.

The OMNIA Partners contract was awarded October 3, 2022 and was approved for a four (4) year term with one (1) one-year renewal option, at the discretion of OMNIA Partners. The State of Maryland renewals will be based on the master contract terms and conditions, market research that will be conducted at the time of the renewal and at the discretion of the OMNIA Partners purchasing officer that issued the Request for Proposal that resulted in the ICPA. Awarding this ICPA will provide a contract for State facilities within the State of Maryland through October 3, 2026 with one (1) potential one-year renewal option.

The solicitation was issued on August 10, 2021 and publicly opened on September 14, 2021. A contract was awarded to Caterpillar as an authorized vendor. Caterpillar was determined to be qualified based on their ability to provide an extensive range of heavy equipment, parts, accessories, supplies and related services, including but not limited to, landfill, construction and material handling.

This vendor fully met and complied with all specifications and requirements of the solicitation, in accordance with the evaluation criteria of the RFP.

DGS and other agencies will receive fair and reasonable prices that were competitively bid and the proposed contract pricing meets the requirement of the ICPA under COMAR 21.05.09.01B (2)(a). The percentage off manufacturer pricing ranges between 3% to 34% across twenty three (23) product categories DGS and other entities may purchase from. The percentages are competitive with heavy construction equipment companies of Caterpillar's size. These discounts are of significant benefit in comparison with similar heavy equipment, parts, accessories, supplies and related service contracts utilized by the State and subsequent jurisdictions.

Therefore, based upon this independent analysis, I have determined that it is in the best interest of the State to participate in this intergovernmental cooperative purchasing agreement and issue an IDIQ contract to Caterpillar, Inc. of Peoria, IL, as awarded on the OMNIA Partners contract #212816-01. This will provide cost benefits to the State, promote administrative efficiencies or promote intergovernmental cooperation, and is not intended as a means to evade the purposes set forth under COMAR 21.01.01.03. Approval from the primary procurement unit head is respectfully requested in accordance with COMAR 21.05.09.05.

*Matthew Smith*

7/9/2025

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Matthew Smith, Procurement Officer, DGS OSP / Date

*RL Johnson*

7.31.25

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Rod Johnson, Associate Director, DGS OSP / Date

*Kareen Davis*

08/03/2025

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Kareen Davis, Director of Operations, DGS OSP / Date

*Linda Dangerfield*

Linda Dangerfield (Aug 4, 2025 18:45:48 EDT)

08/04/2025

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Linda Dangerfield, Deputy Chief Procurement Officer, DGS OSP / Date

*Atif Chaudhry*

08/05/2025

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Atif Chaudhry, Secretary DGS / Date









# DGS OSP ICPA POD for OMNIA Caterpillar heavy equipment, parts, accessories, supplies, and related services

Final Audit Report

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